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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,767	01/25/2001	Avishai Keren	14531.107.1.3	7766

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EXAMINER

CZEKAJ, DAVID J

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/770,767

Applicant(s)

KEREN ET AL.

Examiner

Dave Czekaj

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 84-131 is/are pending in the application.
- 4a) Of the above claim(s) 87-93 and 112-127 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 84-86, 94-111, and 128-131 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3-12-01</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention: Claims 84-133 show various embodiments as illustrated in figures 1-4.

- (1) Species I, related to a specific compression process
- (2) Species II, related to a specific display process
- (3) Species III, related to a specific frame rate process
- (4) Species IV, related to a specific resource management process

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 84 and 94 are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. During a telephone conversation with Mr. Eric Camra on 11/23/04 a provisional election was made without traverse to prosecute the invention of the specific display process, claims 128-131. Affirmation of this election must be made by applicant in replying to this Office action. Claims 87-93 and 112-127 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 84 is rejected under 35 U.S.C. 102(e) as being anticipated by Noro et al. (6646677), (hereinafter referred to as "Noro").

Regarding claim 84, Noro discloses an apparatus that relates to image sensing control for controlling and image sensing device (Noro: column 1, lines 10-12). This apparatus comprises "receiving a plurality of display commands (Noro: figure 14, column 11, lines 40-50, column 15, lines 45-55, wherein the display commands are the simple control commands such as pan and tilt) and "directly converting the commands into a compressed stream" (Noro: figures 14 and 30, column 15, lines 60-65, wherein the compressed stream is formed by the compression unit).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 85-86 and 94-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noro et al. (6646677), (hereinafter referred to as "Noro").

Regarding claims 85-86, note the examiners rejection for claim 84, and in addition, claims 85-86 differ from claim 84 in that claims 85-86 further require using motion estimation or change detection. Although Noro fails to disclose motion estimation as claimed, Noro does disclose using MPEG as the standard for compression (Noro: column 14, lines 58-60). The examiner notes that motion estimation is well known within the MPEG standard. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention

was made to implement motion estimation in order to obtain an apparatus that applies further levels of compression in order to conform to bandwidth characteristics.

Regarding claims 94-95, Noro discloses "generating a plurality of display commands" (Noro: figure 14, column 11, lines 40-50, column 15, lines 45-55, wherein the display commands are the simple control commands such as pan and tilt), "modifying at least one of the display commands, wherein the modifying comprises modifying the commands to limitations of a display device" (Noro: column 10, lines 15-22, wherein modifying the commands to the limitations of the display device is updating the frame size in response to the pan and tilt angles to fit in the display device) and "generating a compressed video stream" (Noro: figures 14 and 30, column 15, lines 60-65, wherein the compressed stream is formed by the compression unit).

Regarding claims 96-97, Noro discloses "modifying the commands to reduce bandwidth requirements or resource requirements" (Noro: column 15, lines 15-29, wherein reducing the bandwidth requirements or resource requirements is the compression and expansion processing).

Regarding claim 98, Noro discloses "one of the display commands represents an object and modifying changes the display command such that the object is moved relative to its original display position" (Noro: figures 4, 6, and 16, wherein moving the object is changing the position of the camera).

Regarding claim 99, Noro discloses "the stream comprises blocks having boundaries wherein moving comprises moving the object to match at least one boundary" (Noro: figures 4, 6, and 16, column 15, lines 45-55, wherein the rotate 30° clockwise represents a boundary).

7. Claims 100-101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noro et al. (6646677), (hereinafter referred to as "Noro") in view of Bulman (5623587).

Regarding claims 100-101, note the examiners rejection for claim 84, and in addition, claims 100-101 differ from claim 84 in that claims 100-101 further requires replacing an object with a different object. Bulman teaches that prior art superposition processing systems are time consuming and require complex calculations (Bulman: column 1, lines 44-48). To help alleviate this problem, Bulman discloses a superposition apparatus that "replaces one object with a different object" (Bulman: figures 12A-E, wherein one object is a person's head and the other object is an animals body). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Noro and add the superposition system taught by Bulman in order to obtain an apparatus that operates more efficiently by providing a system that is less time consuming with simple calculations.

8. Claims 102-11 and 128-131 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noro et al. (6646677), (hereinafter referred to as "Noro") in view of Bulman (5623587) in further view of Huang (6175663).

Regarding claim 102, note the examiners rejection for claims 100-101, and in addition, claim 102 differs from claims 100-101 in that claim 102 further requires the object to be a text object. Huang teaches that images can be automatically searched based on recognizing texts (Huang: figures 3-5, column 1, lines 45-55). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Noro, add the superposition system taught by Bulman, and add the text object taught by Huang in order to obtain an apparatus that operates more efficiently by being able to automatically search objects based on text.

Regarding claim 103, Bulman discloses "the object comprises a background of the display" (Bulman: figure 17, wherein the background is the person).

Regarding claim 104, Bulman discloses "analyzing the object to determine a closest suitable replacement" (Bulman: column 9, lines 38-45, wherein the analyzing is the interpolations between the images).

Regarding claim 105, Huang discloses "changing a font definition" (Huang: column 7, lines 1-6, wherein changing the font definition is superimposing the letter with different fonts, colors, and/or sizes).

Regarding claim 106, Bulman discloses "modifying at least one color of the object" (Bulman: column 6, lines 1-5).

Regarding claims 107-108, although not disclosed, it would have been obvious to reduce the spatial resolution and color resolution of the colors (Official

Notice). Doing so would have been obvious in order to allow the user to adjust the space between color and black and white.

Regarding claim 109, Noro discloses “reducing a spatial resolution of the object” (Noro: figure 14, wherein reducing the spatial resolution is the process of compression).

Regarding claims 110-111, Noro discloses “one of the commands comprises a scrolling command and increasing a granularity of scrolling to multiples of block size” (Noro: column 15, lines 45-55, wherein increasing the granularity of scrolling is increasing the pan/tilt or rotation of the camera).

Regarding claim 128, Noro discloses “generating a display command” (Noro: figures 14 and 16, column 11, lines 40-50, column 15, lines 45-55, wherein the display commands are the simple control commands such as pan and tilt), “identifying changes in the display responsive to a user command” (Noro: column 15, lines 40-50, wherein the user commands are the rotation commands), and “the changes are inserted into the stream at a higher frame rate than other changes” (Noro: column 16, lines 10-50, wherein the insertion at the higher frame rate is the process of switching between a high resolution but low compression and low resolution but high compression).

Regarding claims 129-130, Noro discloses “the user command comprises a pointing device received via a GUI” (Noro: column 7, lines 45-47).

Regarding claim 131, Noro discloses "analyzing the user command to determine display commands" (Noro: figure 16, wherein the analyzing the user command is interpreting the control commands).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

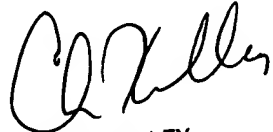
US-6675386 01-2004 Hendricks et al.

US-6295380 09-2001 Takahashi, Toshiya

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (703) 305-3418. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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